

**U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:19-cv-01647-BAH**

LEOPOLD et al v. U.S. DEPARTMENT OF JUSTICE et al
Assigned to: Chief Judge Beryl A. Howell
Cause: 05:552 Freedom of Information Act

Date Filed: 06/05/2019
Jury Demand: None
Nature of Suit: 895 Freedom of Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff

JASON LEOPOLD

represented by **Merrick Jason Wayne**
LOEVY & LOEVY
311 N. Aberdeen Street
Third Floor
Chicago, IL 60607
(312) 243-5900
Fax: (312) 243-5902
Email: merrick@loevy.com
ATTORNEY TO BE NOTICED

Matthew Topic
LOEVY & LOEVY
311 N. Aberdeen Street
Third Floor
Chicago, IL 60607
(312) 243-5900
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Email: matt@loevy.com
ATTORNEY TO BE NOTICED

Plaintiff

BUZZFEED, INC.

represented by **Merrick Jason Wayne**
(See above for address)
ATTORNEY TO BE NOTICED

Matthew Topic
(See above for address)
ATTORNEY TO BE NOTICED

V.

Defendant

U.S. DEPARTMENT OF JUSTICE

represented by **Jonathan D. Kossak**
U.S. DEPARTMENT OF JUSTICE
Federal Programs Branch
1100 L Street, NW
Washington, DC 20005
(202) 305-0612
Email: jonathan.kossak@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

**DOJ OFFICE OF ATTORNEY
GENERAL**

represented by **Jonathan D. Kossak**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

**DOJ DEPUTY ATTORNEY
GENERAL**

represented by **Jonathan D. Kossak**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

**DOJ OFFICE OF SPECIAL
COUNSEL**

represented by **Jonathan D. Kossak**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

**FEDERAL BUREAU OF
INVESTIGATION**

represented by **Jonathan D. Kossak**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

**DOJ NATIONAL SECURITY
DIVISION**

represented by **Jonathan D. Kossak**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

DOJ OFFICE OF LEGAL POLICY

represented by **Jonathan D. Kossak**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

**DOJ OFFICE OF THE ASSOCIATE
ATTORNEY GENERAL**

represented by **Jonathan D. Kossak**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

DOJ OFFICE OF PUBLIC AFFAIRS

represented by **Jonathan D. Kossak**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

DOJ CRIMINAL DIVISION

represented by **Jonathan D. Kossak**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

**DOJ OFFICE OF LEGISLATIVE
AFFAIRS**

represented by **Jonathan D. Kossak**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

NATIONAL SECURITY AGENCY

represented by **Jonathan D. Kossak**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

| Date Filed | # | Docket Text |
|------------|-----------|---|
| 06/05/2019 | <u>1</u> | COMPLAINT against All Defendants (Filing fee \$ 400 receipt number 0090-6167232) filed by BUZZFEED INC., JASON LEOPOLD. (Attachments: # <u>1</u> Civil Cover Sheet Civil Cover Sheet, # <u>2</u> Summons Summons)(Topic, Matthew) (Entered: 06/05/2019) |
| 06/05/2019 | <u>2</u> | NOTICE of Appearance by Matthew Topic on behalf of BUZZFEED INC., JASON LEOPOLD (Topic, Matthew) (Entered: 06/05/2019) |
| 06/05/2019 | <u>3</u> | LCvR 26.1 CERTIFICATE OF DISCLOSURE of Corporate Affiliations and Financial Interests by BUZZFEED INC. (Topic, Matthew) (Entered: 06/05/2019) |
| 06/06/2019 | | Case Assigned to Chief Judge Beryl A. Howell. (zef,) (Entered: 06/06/2019) |
| 06/06/2019 | <u>4</u> | SUMMONS (13) Issued Electronically as to DOJ CRIMINAL DIVISION, DOJ DEPUTY ATTORNEY GENERAL, DOJ NATIONAL SECURITY DIVISION, DOJ OFFICE OF ATTORNEY GENERAL, DOJ OFFICE OF LEGAL POLICY, DOJ OFFICE OF LEGISLATIVE AFFAIRS, DOJ OFFICE OF PUBLIC AFFAIRS, DOJ OFFICE OF SPECIAL COUNSEL, DOJ OFFICE OF THE ASSOCIATE ATTORNEY GENERAL, FEDERAL BUREAU OF INVESTIGATION, NATIONAL SECURITY AGENCY, U.S. DEPARTMENT OF JUSTICE and U.S. Attorney. (Attachments: # <u>1</u> Notice and Consent)(zef,) (Entered: 06/06/2019) |
| 06/07/2019 | <u>5</u> | STANDING ORDER. Signed by Chief Judge Beryl A. Howell on June 7, 2019. (lcbah3) (Entered: 06/07/2019) |
| 07/08/2019 | <u>6</u> | RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. DOJ CRIMINAL DIVISION served on 6/18/2019 (Topic, Matthew) (Entered: 07/08/2019) |
| 07/08/2019 | <u>7</u> | RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. DOJ DEPUTY ATTORNEY GENERAL served on 6/18/2019 (Topic, Matthew) (Entered: 07/08/2019) |
| 07/08/2019 | <u>8</u> | RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. DOJ NATIONAL SECURITY DIVISION served on 6/18/2019 (Topic, Matthew) (Entered: 07/08/2019) |
| 07/08/2019 | <u>9</u> | RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. DOJ OFFICE OF ATTORNEY GENERAL served on 6/18/2019 (Topic, Matthew) (Entered: 07/08/2019) |
| 07/08/2019 | <u>10</u> | RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. DOJ OFFICE OF THE ASSOCIATE ATTORNEY GENERAL served on 6/18/2019 (Topic, Matthew) (Entered: 07/08/2019) |
| 07/08/2019 | <u>11</u> | RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. DOJ OFFICE OF LEGISLATIVE AFFAIRS served on 6/18/2019 (Topic, Matthew) (Entered: 07/08/2019) |
| 07/08/2019 | <u>12</u> | RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. DOJ OFFICE OF LEGAL POLICY served on 6/18/2019 (Topic, Matthew) (Entered: 07/08/2019) |
| 07/08/2019 | <u>13</u> | RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. DOJ OFFICE OF PUBLIC AFFAIRS served on 6/21/2019 (Topic, Matthew) (Entered: 07/08/2019) |
| 07/08/2019 | <u>14</u> | RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. DOJ OFFICE OF SPECIAL COUNSEL served on 6/18/2019 (Topic, Matthew) (Entered: 07/08/2019) |
| 07/08/2019 | <u>15</u> | RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. FEDERAL BUREAU OF INVESTIGATION served on 6/24/2019 (Topic, Matthew) (Entered: 07/08/2019) |
| 07/08/2019 | <u>16</u> | RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. NATIONAL SECURITY AGENCY served on 6/19/2019 (Topic, Matthew) (Entered: 07/08/2019) |

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| 07/08/2019 | <u>17</u> | RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. U.S. DEPARTMENT OF JUSTICE served on 6/18/2019 (Topic, Matthew) (Entered: 07/08/2019) |
| 07/08/2019 | <u>18</u> | RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 6/18/2019. Answer due for ALL FEDERAL DEFENDANTS by 7/18/2019. (Topic, Matthew) (Entered: 07/08/2019) |
| 07/08/2019 | <u>19</u> | RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed on United States Attorney General. Date of Service Upon United States Attorney General 6/18/2019. (Topic, Matthew) (Entered: 07/08/2019) |
| 07/12/2019 | <u>20</u> | Unopposed MOTION for Extension of Time to <i>Answer or Otherwise Respond to the Complaint</i> by DOJ CRIMINAL DIVISION, DOJ DEPUTY ATTORNEY GENERAL, DOJ NATIONAL SECURITY DIVISION, DOJ OFFICE OF ATTORNEY GENERAL, DOJ OFFICE OF LEGAL POLICY, DOJ OFFICE OF LEGISLATIVE AFFAIRS, DOJ OFFICE OF PUBLIC AFFAIRS, DOJ OFFICE OF SPECIAL COUNSEL, DOJ OFFICE OF THE ASSOCIATE ATTORNEY GENERAL, FEDERAL BUREAU OF INVESTIGATION (Attachments: # <u>1</u> Text of Proposed Order)(Kossak, Jonathan) (Entered: 07/12/2019) |
| 07/15/2019 | | MINUTE ORDER (paperless) GRANTING the defendants' <u>20</u> Unopposed Motion for Extension of Time to Answer or Otherwise Respond to the Complaint. Accordingly, by August 19, 2019, the defendants shall answer or otherwise respond to the plaintiffs' <u>1</u> Complaint. Signed by Chief Judge Beryl A. Howell on July 15, 2019. (lcbah3) (Entered: 07/15/2019) |
| 07/15/2019 | | Set/Reset Deadlines: Answer to the Complaint due by 8/19/2019. (tg) (Entered: 07/15/2019) |
| 08/06/2019 | <u>21</u> | NOTICE of Appearance by Merrick Jason Wayne on behalf of BUZZFEED INC., JASON LEOPOLD (Wayne, Merrick) (Entered: 08/06/2019) |
| 08/19/2019 | <u>22</u> | ANSWER to Complaint by DOJ CRIMINAL DIVISION, DOJ DEPUTY ATTORNEY GENERAL, DOJ NATIONAL SECURITY DIVISION, DOJ OFFICE OF ATTORNEY GENERAL, DOJ OFFICE OF LEGAL POLICY, DOJ OFFICE OF LEGISLATIVE AFFAIRS, DOJ OFFICE OF PUBLIC AFFAIRS, DOJ OFFICE OF SPECIAL COUNSEL, DOJ OFFICE OF THE ASSOCIATE ATTORNEY GENERAL, FEDERAL BUREAU OF INVESTIGATION, NATIONAL SECURITY AGENCY, U.S. DEPARTMENT OF JUSTICE. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F, # <u>7</u> Exhibit G, # <u>8</u> Exhibit H, # <u>9</u> Exhibit I)(Kossak, Jonathan) (Entered: 08/19/2019) |
| 09/24/2019 | | MINUTE ORDER (paperless) DIRECTING the plaintiff TO SHOW CAUSE, by October 8, 2019, why this action should not be dismissed for failure to prosecute pursuant to Local Civil Rule 83.23. The parties should have filed a joint meet and confer statement within 30 days of the defendants' <u>22</u> Answer, as required by the <u>5</u> Standing Order. Failure to comply with this order will result in this action being dismissed for failure to prosecute. Signed by Chief Judge Beryl A. Howell on September 24, 2019. (lcbah3) (Entered: 09/24/2019) |
| 09/25/2019 | | Set/Reset Deadlines: Plaintiff's response to show cause due by 10/8/2019. (tg) (Entered: 09/25/2019) |
| 10/08/2019 | <u>23</u> | RESPONSE TO ORDER OF THE COURT re Order,, <i>Plaintiffs' Response to Order to Show Cause</i> filed by BUZZFEED INC., JASON LEOPOLD. (Attachments: # <u>1</u> Exhibit Joint Status Report, # <u>2</u> Text of Proposed Order)(Topic, Matthew) (Entered: 10/08/2019) |
| 10/09/2019 | | MINUTE ORDER (paperless) DISCHARGING the Court's September 24, 2019 Minute Order To Show Cause in light of the plaintiff's <u>23</u> Response to Order of the Court, and DIRECTING the parties to file, by December 20, 2019, a joint status report with proposed schedules for the production of responsive records and the filing of any dispositive motions. Signed by Chief Judge Beryl A. Howell on October 9, 2019. (lcbah3) (Entered: 10/09/2019) |

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| 10/10/2019 | | Set/Reset Deadlines: Joint Status Report due by 12/20/2019. (tg) (Entered: 10/10/2019) |
| 12/17/2019 | <u>24</u> | Consent MOTION for Extension of Time to <i>File Joint Status Report</i> by DOJ CRIMINAL DIVISION, DOJ DEPUTY ATTORNEY GENERAL, DOJ NATIONAL SECURITY DIVISION, DOJ OFFICE OF ATTORNEY GENERAL, DOJ OFFICE OF LEGAL POLICY, DOJ OFFICE OF LEGISLATIVE AFFAIRS, DOJ OFFICE OF PUBLIC AFFAIRS, DOJ OFFICE OF SPECIAL COUNSEL, DOJ OFFICE OF THE ASSOCIATE ATTORNEY GENERAL, FEDERAL BUREAU OF INVESTIGATION, NATIONAL SECURITY AGENCY, U.S. DEPARTMENT OF JUSTICE (Attachments: # <u>1</u> Text of Proposed Order)(Kossak, Jonathan) (Entered: 12/17/2019) |
| 12/17/2019 | | MINUTE ORDER (paperless) GRANTING the defendants' <u>24</u> Consent Motion for Extension of Time to File Joint Status Report. Accordingly, the parties shall file a joint status report with proposed schedules for the production of responsive records and the filing of any dispositive motions by December 24, 2019. Signed by Chief Judge Beryl A. Howell on December 17, 2019. (lcbah3) (Entered: 12/17/2019) |
| 12/17/2019 | | Set/Reset Deadlines: Joint Status Report due by 12/24/2019. (tg) (Entered: 12/17/2019) |
| 12/23/2019 | <u>25</u> | Joint STATUS REPORT <i>on behalf of the Parties</i> by U.S. DEPARTMENT OF JUSTICE. (Kossak, Jonathan) (Entered: 12/23/2019) |
| 12/23/2019 | | MINUTE ORDER (paperless) DIRECTING, upon consideration of the parties' <u>25</u> Joint Status Report, the parties to file, by March 31, 2020, a joint status report advising the Court whether any disputes remain between the parties, and if so, a proposed schedule to govern further proceedings. Signed by Chief Judge Beryl A. Howell on December 23, 2019. (lcbah3) (Entered: 12/23/2019) |
| 12/23/2019 | | Set/Reset Deadlines: Joint Status Report due by 3/31/2020. (hmc) (Entered: 12/23/2019) |
| 03/31/2020 | <u>26</u> | Joint STATUS REPORT <i>on Behalf of the Parties</i> by U.S. DEPARTMENT OF JUSTICE. (Kossak, Jonathan) (Entered: 03/31/2020) |
| 04/01/2020 | | MINUTE ORDER (paperless) DIRECTING, upon consideration of the parties' <u>26</u> Joint Status Report, the parties to file, by June 30, 2020, a joint status report advising the Court whether any disputes remain between the parties, and if so, proposing a schedule to govern further proceedings. Signed by Chief Judge Beryl A. Howell on April 1, 2020. (lcbah3) (Entered: 04/01/2020) |
| 04/02/2020 | | Set/Reset Deadlines: Joint Status Report due by 6/30/2020. (tg) (Entered: 04/02/2020) |
| 06/30/2020 | <u>27</u> | Joint STATUS REPORT <i>on behalf of the Parties</i> by U.S. DEPARTMENT OF JUSTICE. (Kossak, Jonathan) (Entered: 06/30/2020) |
| 07/01/2020 | | MINUTE ORDER (paperless) DIRECTING, upon consideration of the parties' <u>27</u> Fourth Joint Status Report, the parties to submit, by September 10, 2020, a joint status report advising the Court whether any disputes remain between the parties, and if so, proposing a schedule for further proceedings. Signed by Chief Judge Beryl A. Howell on July 1, 2020. (lcbah3) (Entered: 07/01/2020) |
| 07/02/2020 | | Set/Reset Deadlines: Joint status report due by 9/10/2020. (ztg) (Entered: 07/02/2020) |